

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS,
DALLAS DIVISION

Moises Cuevas, Jr.,
Plaintiff,

vs.

Humberto Novoa,
Adrian Zamarripa,
Azteca Records, LLC,
Azteca Talent Agency, Inc., and
La Energia Nortena, LLC
Defendants.

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Civil Action No. 3:21-CV-03243-C-BK

**Plaintiff's Response in Opposition to
Defendants' 12(b)(1) Motion to Dismiss for Lack of "Case" or "Controversy"**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Plaintiff Moises Cuevas, Jr. and files this response in opposition to Defendants Humberto Novoa, Adrian Zamarripa, Azteca Records, LLC and Azteca Talent Agency, Inc. 12(b)(1) motion to dismiss for lack of "case" or "controversy", and Plaintiff would show this Court the following:

1. Defendants and Defendants' counsel have not been forthcoming with the Court concerning the relevant fact and procedural history of the disputes between the parties alleged in their 12(b)(1) motion to dismiss.
2. The Real Parties in interest DO NOT AGREE on who owns the copyrights in question. There is a live case and controversy between the parties, which includes Plaintiff Cuevas.
3. The Federal District Court has exclusive jurisdiction over Plaintiff's lawsuit based on copyright.

4. Plaintiff Cuevas DOES HAVE standing.

5. Plaintiff's Claims brought on behalf of Company and/or as an individual are ripe.

In support of Plaintiff's response in opposition to Defendants' 12(b)(1) motion to dismiss, Plaintiff attaches and files a memorandum brief which provides the Court with detailed explanation regarding the above enumerated points and the related legal authorities cited by Plaintiff, which govern this case and matter.

Accordingly, Plaintiff Cuevas prays that the Court **DENIES** Defendants Humberto Novoa, Adrian Zamarripa, Azteca Records, LLC, and Azteca Talent Agency, Inc.'s 12(b)(1) motion to dismiss.

Plaintiff also requests an oral hearing on Defendants' said motion.

Respectfully submitted,



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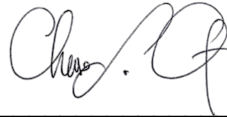
**ATTORNEYS FOR PLAINTIFF
MOISES CUEVAS, JR.**

CERTIFICATE OF SERVICE

I do hereby certify that I have forwarded a true and correct copy of the above and foregoing pleading in this cause to all counsel of record on this 13th day of February, 2022 by electronic filing or U.S. mail.

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